THE YEAR AT WESTMINSTER

ALL CHANGE?

Martin Dowle

The 1987 General Election produced a seismic change in the complexion of party strengths at Westminster, virtually producing the much-dreaded Doomsday Scenario under which the Conservatives won a landslide victory in seats in England, while Labour took the lion's share in Scotland.

The initial assumption as the dust settled on the morning of June 12 was that the combination of an Opposition of 62 MPs (comprising 50 Labour, 7 Liberal, 3 SNP and 2 SDP members) and only 10 Conservative MPs would make the position of the Government in the Commons impossible.

In theory, this appeared to be the case. The first problem for Malcolm Rifkind, the Scottish Secretary, was to find a ministerial team, having lost Michael Ancram and John Mackay, his two under-secretaries, and Peter Fraser, the Solicitor-General for Scotland, among the casualties in the election.

His initial problems of manning the front bench, let alone the backbenches, were compounded by the refusal of Alick Buchanan-Smith, who narrowly held on against a strong Liberal challenge in Kincardine and Deeside, and of Allan Stewart, dropped from the Scottish Office team in the reshuffle in September 1986, to rally to the call from the party hierarchy to serve in the Rifkind team in its hour of need.

Their differing reasons illustrated the magnitude of Rifkind's problem. Buchanan-Smith declined to serve by arguing that the election results in Scotland demonstrated deeper roots to the problems for the Conservatives than the conduct of policy inside the Scottish Office alone.

"This is the moment when the losses in the election results mean that we should be looking for sensitivity on a wider front, and I believe that I can better serve the Conservative Party in Scotland with the freedom to speak," he said after he had resisted strong pressure in the weekend following the election from the Tory Party hierarchy to come to the aid of the cause[1].

While Buchanan-Smith, whose differences with Margaret Thatcher

stretched back to his resignation as Shadow Scottish Secretary in 1976 when she refused to back devolution, opposed the approach of the Government from the liberal wing of the Tory Party, Stewart was doing so from the Right.

His argument was that the Conservatives had polled so poorly because they had failed to implement Thatcherism in Scotland, and he therefore felt that since Rifkind intended to continue with an interventionist course at the Scottish Office, he could best assist his party's cause from the backbenches[2].

He was backed in this view by the most populist Right-winger on the Scottish Tory backbenches, William Walker, the MP for North Tayside. He received a warm reception from the Prime Minister at a meeting in early July when he pressed upon her the view that the Conservatives could not match Labour in pledging subsidies to buy votes.

Walker argued instead that the Conservatives should do what they were best at – returning the assets held by the state to the people, as they had done in other Government departments through the philosophy of 'popular capitalism'.

To illustrate his case, he argued that the pandering of the Government to those seeking subsidies simply encouraged people to vote for Opposition parties as the best guarantee for gaining more of them – as, he claimed, in the Highlands,which in 1987 returned one Labour and five Alliance MPs, leaving it with no Conservative representation for the first time in its history[3].

The refusal of Buchanan-Smith and Stewart to serve was a significant blow for Rifkind, leaving much of the party's remaining talent on its backbenches. As a consequence, Ian Lang was promoted to the post of Minister of State to oversee industry and local government, while Michael Forsyth, the Right-wing ideologue who narrowly survived at Stirling was brought in as Under-Secretary for health and education, and Lord James Douglas-Hamilton, dropped as a whip in 1981, was brought back to be in charge of the environment and prisons.

The problem of losing the Solicitor-General in the Commons was solved by keeping Fraser at his post, and dropping the special 10 minute Law Officers' question time. Instead they were amalgamated with general Scottish questions to be answered by Rifkind himself, taking their place in the ballot for the four-weekly one-hour Scottish Office question time. Perhaps the knowledge that Labour too might have to have a Solicitor-General outwith the Commons in the event of coming to Government muted Opposition criticism of this move.

Rifkind's other problem lay in the manning of committees. Reduced from 21 to 10 MPs, the Government had fallen below the threshold of around 13 MPs which had previously been considered essential for keeping Scottish business going in the Commons. His difficulties were alleviated by the expedient of appointing David Maclean, the Inverness-born MP for the Cumberland constituency of Penrith and the Border as the Scottish whip. This instantly raised the number of "Scottish" MPs to 11, though in practice it still remained at 10 since George Younger, as Defence Secretary, was clearly not available to participate in day-by-day Scottish politics at Westminster.

The Scottish Grand Committee, composed of all 72 Scottish MPs posed little problem since the Conservatives in Government had had no majority since the principle of 15 English added members had been abolished shortly after the Tories returned to power in 1979. As all votes in the committee are instantly referred to the floor of the House, the Government's position was little worse than in the 1983 to 1987 Parliament.

The Scottish Standing Committees, which consider Scottish legislation on a line-by-line basis, present a greater problem for the Tories. These must have 16 members, thus requiring 9 Tories for a Government majority. The Tories can scrape that majority by placing all their Scottish members (plus Maclean) except for Rifkind and Younger on the committee.

The difficulty for Ministers (and thus the Opposition's opportunity) lies in the prospect of a multiplicity of Government legislation which could tie down Ministers simutaneously in more than one committee. When the Conservatives had the luxury of 21 MPs, this posed no problem. Now it is a potential nightmare.

Rifkind sought to avert this problem with the tendering out of local authority services by placing the Scottish and English legislation into the same Bill. This caused apoplexy on the Labour benches, where the 50 MPs (some of whom had been selected to serve on the Local Goverenment Bill standing committee) pointed out that there was no Scottish Office Minister serving to deal with the clauses and amendments relating to Scotland.

Following lengthy negotiations before the Commons rose for the summer recess in July 1987, Rifkind agreed that Douglas-Hamilton should sit on the Local Government Bill, but only when questions of Scottish interest were being discussed. Labour MPs were determined that from October onwards, Douglas-Hamilton would be sprinting up and down the committee corridor as befitted an Oxford boxing blue serving simultaneously on the Local Government Bill and the legislation to reform housing and education in Scotland.

Labour's main hope at the start of the new Parliament lay in

attempting to exhaust the Government by using its superior strength of numbers in the select committees – a problem which the Government could only deal with through agility in the arrangement of business or by the unpopular route of adding English members to deal with Scottish legislation, a course which it knew well enough would play into the hands of the small but lively contingent of 3 SNP MPs returned in the election[4].

The other problem for the Government lay in the manning of the Scottish Select Committee which in the previous two Parliaments consisted of 13 members. Its proportion of Government to Opposition membership has historically been chosen according to the UK strengths of the various parties at Westminster, resulting in 8 Tories, 4 Labour and 1 Alliance sitting on the committee in the 1983 to 1987 Parliament. The Scottish imbalance thereby created had been alleviated by allocating the chairmanship to Labour[5].

Even if, with the fall in the Government's overall majority from 143 to 101 at the election, the Conservatives were to claim just seven seats, they would still be unable to man the committee with only 5 backbenchers. Two schools of thought emerged inside the Tory Party over the committee – the first, headed by John Wakeham, the Leader of the Commons, that the Scottish Conservatives should soldier on with a smaller committee, and the second headed by Stewart and Walker arguing that the select committee was too time-consuming, and in any event only provided a platform for Opposition parties to criticise Government policies in Scotland.

The first of the two camps was thrown a lifeline early in the internal Government debate by the previous Labour chairman, David Lambie, who agreed that 13 was too large a number for the committee, and that a smaller size would enable it to work more effectively. His view immediately undermined Labour's strategy of trying to tie up as many Tories as possible in committees, and in the process give sufficient work to the otherwise undeer-employed contingent of 50 Labour MPs.

After the initial euphoria of achieving its target of 50 MPs subsided, Labour began to realise that its numerical superiority might prove to be as much of a problem as a strength.

True, it had won the golden prize of establishing itself as a truly national party of Scotland. Donald Dewar considered the gaining of the Western Isles, South Aberdeen (his old seat) and Dundee East, along with strong showings in Dumfriesshire and Inverness, Nairn and Lochaber as the perfect answer to the old canard that Labour was simply the party of the old industrial heartland of the west of Scotland[6].

But Labour soon found itself torn over the mandate question. If its MPs suggested that the Conservatives had no mandate to govern Scotland,

it would run into the old and uncomfortable fact that the past three Labour Governments had been elected only on majorities secured in Scotland and Wales, and not in England. Similarly, the preferential level of public expenditure of 124p for every pound spent in England left the mandate question an even more difficult one to argue.

Evidence that Labour MPs wanted to approach the Scottish question with caution came in the election for the executive of the Scottish group of Labour MPs. Sam Galbraith, the newly-elected MP for Bearsden and Strathkelvin, comfortably defeated Dennis Canavan, a strong advocate of disruptive parliamentary tactics, for the chairmanship of the devolution sub-committee of the group(7).

The group meeting held before the first Scottish question time of the new Parliament also firmly rejected Canavan's proposals for disrupting Commons proceedings as a protest at the refusal of the Conservatives to modify their policies in recognition of their defeat at the hands of the Scottish electorate.

But the hopes of the 50 Labour MPs that with their new lively intake of 19 members they would be able to trounce a weakened Scottish Office team on the floor of the Commons ended in total disarray.

Instead of going on the defensive, the Tory Right organised a group of English backbenchers to participate in Scottish questions, thus squeezing out many of the Labour MPs who had wished to speak. Labour members were outraged as Conservatives such as the exiled Right-wing Scot, Eric Forth and other right-wingers such as Gerald Howarth and Neil Hamilton asked why insufficient progress was being made on the privatisation of hospital services and pointed to the higher level of public expenditure in Scotland north of the Border.

All MPs are entitled to participate in the debates relating to any specific part of the United Kingdom (indeed, during the Unionist Boycott of Westminster following the signing of the British-Irish Agreement, Northern Ireland question time was dominated by non-Ulster MPs). But Scottish MPs have jealously guarded the tradition that such interventions should be kept to a minimum and not impede Scottish MPs from asking questions.

The temperature rose as it became clear that Labour MPs would be unable to ask questions, while English Conservatives could regularly speak on account of the scarcity of their Scottish colleagues. The baiting proved too much for Canavan, who in contravention of the group decision only two nights before, excitedly and repeatedly called out "I spy strangers" until the Speaker was forced to call a division.

The ensuing quarter of an hour turned out to be a disaster for Labour. As Canavan and his allies pressed forward with the vote against the express wishes of Dewar, a verbal slanging match between Willie McKelvey, the Labour MP for Kilmarnock, and the Shadow Scottish Secretary took place only feet in front of the Mace, in full view of astonished Conservatives and members of the Press Gallery. When the vote came, it showed that 15 members of the Scottish Labour group had supported Canavan, along with one Liberal.

For the Alliance, the internal difficulties of the merger question prevented it from capitalising on the strength of its new intake of MPs which in Menzies Campbell and Ray Michie contained a strong commitment to Home Rule. The SNP intake, however, swiftly established its position, despite the loss of its parliamentary leader, Gordon Wilson. Margaret Ewing, as the former MP for Dumbarton East, assumed the parliamentary leadership, while the new MP for Banff and Buchan, Alex Salmond, soon established a reputation as a left-wing MP determined to point out the weakness of Labour's position in claiming to defend the Scottish people from the ravages of Thatcherism.

The Poll Tax – The Calm Before The Storm.

The tragedy for the Opposition on the Scottish legislation introducing the community charge was that it was safely on the Statute Book before the one group of MPs who could have successfully challenged it – namely, English backbench Tory sceptics – woke up to its implications.

This led to the bizarre situation after the General Election where concessions for England and Wales on poll tax looked highly likely because of the Government's insecurity on the issue, while those in Scotland had been of a minor nature before the election since the Government had been determined to maintain the integrity of the principle for the Conservative manifesto.

Mrs Thatcher's determination to proceed with the introduction of the legislation formed the central part of a somewhat weak legislative programme in the Queen's Speech in November 1986.

Consequently, the Scottish Conservative whip, Gerry Malone, knew he had few rivals in the queue for completion of all parliamentary stages in time for a likely Dissolution of Parliament in May 1987 in time for a June election. Possibly only the Criminal Justice Bill, parts of which ultimately had to be sacrificed for the early election, ranked in importance in the mind of the Prime Minister.

But equally the Government had little time to play with, notwithstanding the fact that the Abolition of Domestic Rates (Scotland)

Etc Bill (ADRES as it came to be known in an awful St Andrew's House acronym). It was consequently rushed to an early Second Reading on December 9, and placed in committee before the Commons rose for the Christmas recess.

Mr Rifkind sought to justify what was clearly a very contentious plan (as the Conservatives found to their cost in the subsequent election) by argying that 85 per cent of single pensioners would benefit, with 30 per cent of those standing to gain more than £1 a week. Other single households would also fare well, with 80 per cent gaining, with 50 per cent of those gaining more than £1 a week.

Such statistics, used by Mr Rifkind at the time of the Queen's Speech and in the Second Reading debate, were viewed by Opposition parties as selective, since 3.85 million adults would now be required to pay at least an element of the charge, some 700,000 people more than the combined number of ratepayers and their spouses.

The atmosphere between the two parties at the start of the legislation's passage was not of the best, as illustrated by the confusing row which broke out between Government and Labour whips in early December over the apparently short notice given to the Alliance and SNP parties over the calling of a Scottish Grand Committee debate in Edinburgh on agriculture and fisheries[9].

An assortment of 25 Liberal, SDP, SNP and Labour MPs used an unusual Commons device to block the meeting, with an angry James Wallace, the Liberal MP for Orkney and Shetland, complaining: "The Government treats the Scottish Grand Committee with contempt. The short notice for this meeting indicates its casual attitude to Scottish affairs."

Some MPs accused the Scottish Labour whip, Allen Adams, of failing to inform other Opposition parties of the debate, a task which Labour said belonged to the Government. The Government whip, Gerry Malone, said he was astonished by the blocking of the Grand Committee meeting, saying that the Opposition parties would have known about the debate three weeks before if they had read the newspapers.

In the debates on the Bill before Christmas, Opposition parties concentrated on portraying the measure as unworkable, and ridiculing the claim of Malcolm Rifkind that it would be fair and simple to operate.

Labour, the Alliance and the SNP alike predicted chaos for the new scheme, earmarked to start in May 1989, and questioned how the complexity of the rebates could work, how students would be reimbursed, or how the Government would succeed in enforcing the payments.

The Opposition onslaught was somewhat hampered then (and for much of the debate in 1987) over the Government's failure to explain how the rebate system (widely assumed to result in those on benefits securing an 80 per cent return for their poll tax payments) would fit into the social security reforms, the shape of which was not to become clear until its implementation in May 1988.

Tempers rose again when the Opposition learned that Gerry Malone had determined to "double bank" the sessions of the standing committee virtually from the start, in an effort to clear the Commons stages of the Bill by Easter. From his viewpoint this was sensible, since it was clear that the problem for the Government would lie more in the Lords than in the Commons.

During the 1986/7 session, their Lordships registered their 100th defeat of the Government, and memories were still fresh of the defeat inflicted upon the government in the summer of 1986 over the proposal by Mrs Thatcher to insist on recipients of supplementary benefit paying 20 per cent of their rates bills, a measure only secured by the Government demanding its inclusion after a further vote in favour in the Commons.

Labour, for its part, retaliated against this unusually early attempt to force along the Bill by producing a filibuster in its first week. This unfortunately resulted in a late-night appearance by Dennis Canavan, who was not a member of the committee, turning up to protest that the measure had no support in Scotland. The meeting was adjourned twice as the chairman tried to persuade Canavan to withdraw. The resulting chaos, viewed by an audience of English MPs including John Biffen, the Leader of the Commons, and John Wakeham, the Government Chief Whip, agog at the pre-Christmas spectacle, backfired badly for Labour in publicity terms and let the Government off the hook over Dewar's allegations that Parliament was being "railroaded" over an important piece of legislation.

When the committee resumed in the New Year, Labour changed its tactics and concentrated on finding arguments against the Bill[10]. Its arguments centred on the unfairness of the measure (favouring the rich); problems of collection (producing snoopers and invading privacy); and led to disenfranchisement of those seeking to escape payment of the tax (notwithstanding the two parallel registers for voting and for collecting the charge).

But its campaign made little impact on the Scottish public. Ken Fagan, the president of the Convention of Scottish Local Authorities (COSLA), drew a parallel with the bus deregulation legislation, pointing out that the public outcry did not materialise until it was clear that their buses were not going to turn up – by which time it would be too late.

But Labour's low-key campaign and failure to raise the issue in the public consciousness mainly arose from the decision of Donald Dewar not to serve on the committee. As a consequence of its failure to deploy its big guns on such a crucial matter, the battle was never really joined between the two sides. Ministers, led by the Government's expert on the issue, Michael Ancram, were also constantly able to turn the tables back on Labour by pointing out that it had no alternative beyond the continuation of the present rating system, though possibly with an improved rebate scheme.

The committee stage involved one fascinating clash between Ancram and the SDP's representative, Robert Maclennan, before he shot to fame after the election as the party's third leader. Maclennan compared the proposed role for the registration officers of drawing up a list of those eligible to pay the poll tax, which he maintained would involve them investigating peoples' private lives, with what happened in police states.

Ancram said that he heard Maclennan make both literary speeches and incomprehensible speeches, but none like his present one which had "gone over the top". He dismissed it as both inaccurate and sensational, and demanded that Maclennan withdraw his comments about the apparatus of police states, which he promptly refused to do.

After 100 hours of debate, with only half of the 34 clauses debated, the Bill was guillotined in early February. Despite ritual Opposition indignation, few observers lamented its passing. Nicholas Fairbairn, who counted himself privileged not to have sat on the committee, suggested as an epitaph: "Delivered from death by boredom with a guillotine."[11]

Two weeks after the guillotine had been imposed, Malcolm Rifkind surprised MPs by abandoning the proposed three-year transition to the new system and opted instead for the "clean-break" in May 1989, a move which he said would be easier for both the public and local authorities. His arguments about avoiding the need for two bills – one an element of rates, the other an element of poll tax – landing on the doormat cut little ice with the Cabinet in July 1987 which opted for a five-year transitional phase in England, against the advice of Nicholas Ridley, the Environment Secretary.

After the Third Reading in the Commons, the Bill underwent a stormy passage in the Lords where it came under strong attack from the Lord Ross of Marnock, the former Scottish Secretary, and a line-by-line scrutiny from Alliance and sceptical Tory peers, who appeared shocked by the regressive nature of the tax. Under the pressure of time, the Government ultimately conceded exemption for the severely mentally handicapped and increases for student grants and supplementary benefit to take account of the extra which those affected would have to pay for the poll tax. Afterwards,

Ministers maintained that the mentally handicapped concession had been on offer to Labour in the Commons, but that its spokesmen had failed to notice the olive branch put out by the Government side.

As it became clear at the start of May that the Government needed to clear the decks for the June 11 General Election, the poll tax became a matter of renewed controversy in the Commons. Neil Kinnock proclaimed that the measure would be fought all the way.

In order to secure the remaining stages of the Bill – mostly Commons agreement to the concessions in the Lords – the Government forced a second guillotine on the Bill, limiting discussion in the dying days of the Parliament to 90 minutes on each amendment. The move was denounced by Neil Kinnock, the Labour leader, who argued that the measure was too important for debate to be restricted in such a way, particularly since it would become a major issue in the impending election.

His arguments cut no ice with John Biffen, the Leader of the Commons, who insisted that there was no good reason why the timetable limits on the Bill should not be implemented.

On May 13, in a final acrimonious debate in the Commons, the Bill completed its parliamentary stages, with further attempts by Labour to secure more concessions for the disabled being defeated by a Government majority of 112. The bitterness between parties which the measure provoked came to the surface once more when John Home-Robertson, a Labour front-bench spokesman, told Michael Ancram to "go to hell".[12] Opposition anger was intensified by the fact the guillotine left only two hours for the Commons to cover 132 amendments.

Perhaps the tiredness of those involved was best illustrated when Michael Ancram, who for two years had been trying to persuade everyone to refer to the "community charge", followed the example of Mrs Thatcher by talking about the "poll tax". To the merriment of the assembled MPs, he repeated the gaffe later in the debate. But the Government nevertheless secured the measure in time for Mrs Thatcher to tell a delighted Scottish Conservative conference in her Friday night rally speech that the Queen had given the measure its Royal Assent.

Conclusion: Doomsday Arrives

Though the Conservatives at an extraordinarily buoyant conference proclaimed the Act as the flagship for their election effort, its enactment proved to be little more than rearranging the deck chairs on the Titanic.

But as the dust settled on the General Election result, the political position of the Tories turned out to be far from disastrous. Though in

disarray through the refusal of Alick Buchanan-Smith and Allan Stewart, to serve Malcolm Rifkind was soon able to portray at least a superficial picture of business as usual.

When Margaret Thatcher undertook her annual visit to Scotland in September 1987, she had already abandoned her earlier intention that she should simply listen to the Scots in an effort to understand why her party failed to secure more than 24 per cent at the polls. Instead, she characteristically launched into a denunciation of devolution, and again proclaimed a greater dose of Thatcherism as the path to success for Scotland.

Despite the post-election promise by Malcolm Rifkind that the Scottish Conservative Party would undergo a major re-think of the relevance of its policies (with no possibilities, including devolution, ruled out), it was soon clear that little in the Government's mind had changed.

Truly it could be said that Mrs Thatcher had come to much the same conclusion as her illustrious predecessor, Benjamin Disraeli, who as Chancellor under Lord Derby declared: "The Scotch shall have no favours from me until they return more Tory members to the House of Commons".

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References

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5. The job was taken by David Lambie, MP for Cunninghame North.
6. See Donald Dewar, "Scotland, The Way Forward", in "Labour's Next Moves Forward", Fabian Tract 521.
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8. *Hansard*, 22/7/87.
9. *The Scotsman*, 5/12/86.

10. *The Scotsman*, 11/2/87.
11. *Hansard*, 9/2/87.
12. *The Scotsman*, 14/5/87.